

REMARKS

1. Present Status of Patent Application

This is a full and timely response to the outstanding non-final Office Action of March 22, 2007. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

2. Response to Rejection of Claims under 35 U.S.C. § 101

Claim 1 has been rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. The Office Action states that claim 1 is directed to an email system and the specification of the present application discloses that the email system "may be implement in software alone. For a system claim to be statutory, at least one hardware component must be claimed. Software alone refers to functional descriptive material, which is per se nonstatutory." Page 2.

Claim 1, as amended, recites a computer configured with a plurality of detection mechanisms. Accordingly, claim 1 claims at least one hardware component and complies with 35 U.S.C. § 101, Therefore, withdrawal of the rejection is respectfully requested.

3. Response to Rejection of Claims under 35 U.S.C. §103

Claims 1-23 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Aronson* (U.S. Patent No. 6,654,787) in view of *Paul* (U.S. Patent No. 5,999,932).

a. Claim 1

As provided in independent claim 1, Applicant claims:

An email system for providing email service to a user, comprising:
a computer device configured with a plurality of detection mechanisms that detect undesired email messages; and

a user interface configured to visually represent that a particular undesired email message was detected using a particular detection mechanism.

(Emphasis added).

Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Aronson* in view of *Paul* does not disclose, teach, or suggest at least "a user interface configured to visually represent that a particular undesired email message was detected using a particular detection mechanism," as recited and emphasized above in claim 1.

The Office Action states that "Aronson does not disclose expressly a user interface configured to visually represent that a particular undesired email message was detected using a particular mechanism." Page 3. However, the Office Action asserts that "Paul discloses a user interface configured to visually represent that a particular undesired email message was detected using a particular detection mechanism." Page 3.

In reviewing the reference, *Paul* describes that an electronic mail message that is allowed in accordance with a user's inclusion list is marked with an "OK" display code. Further, an electronic message which does not match data on the user's inclusion list may be determined to be of interest to the user and is marked with a "NEW" display code. An electronic message which does not match data on the user's inclusion list may be determined to not be of interest to the user and is marked with a "JUNK" display code. See abstract. Each of these codes characterize the content of a respective message with regard to whether the content is of interest to the user. The codes do not indicate a type of detection mechanism that determined the message to be undesirable.

Similarly, *Paul* describes that "e-mail messages from certain sources may be marked with a display code indicating that they have a 'PRIORITY' status. Different e-mail display colors or folders may be defined based upon the identity of the sender, or the subject matter of the messages." Col. 9, lines 25-31. Accordingly, *Paul* discloses that the codes indicate content of the message or the source of the message. The codes do not indicate a type of mechanism that detected the message to be an undesired email message.

As such, neither *Aronson* nor *Paul* suggests or teaches, individually or in combination, at least "a user interface configured to visually represent that a particular

undesired email message was detected using a particular detection mechanism," as recited in claim 1. Therefore, a combination of *Aronson* and *Paul* does not teach or suggest at least all of the claimed features of claim 1 and fails to establish a *prima facie* case of obviousness.

For at least this reason, the rejection of claim 1 should be withdrawn.

b. Claims 2-8

For at least the reasons given above, claim 1 is allowable over the cited art of record. Since claims 2-8 depend from claim 1 and recite additional features, claims 2-8 are allowable as a matter of law over the cited art of record.

c. Claim 9

As provided in independent claim 9, Applicant claims:

A system for providing email service, comprising:
means for providing a plurality of detection mechanisms that detect undesired email messages;
means for designating an email message as being undesirable according to a particular detection scheme;
means for marking the email message with a particular identifier of the particular detection scheme; and
means for displaying the email message with the particular identifier in a particular visual manner that is associated with the particular identifier.

(Emphasis added).

Applicant respectfully submits that independent claim 9 is allowable for at least the reason that *Aronson* in view of *Paul* does not disclose, teach, or suggest at least "means for marking the email message with a particular identifier of the particular detection scheme; and means for displaying the email message with the particular identifier in a particular visual manner that is associated with the particular identifier," as recited and emphasized above in claim 9.

The Office Action states that "Aronson does not disclose expressly means for marking the email message with a particular identifier of the particular detection scheme; and means for displaying the email message with the particular identifier in a

particular visual manner that is associated with the particular identifier.” Page 8. However, the Office Action asserts that “Paul teaches means for marking the email message with a particular identifier of the particular detection scheme . . . and means for displaying the email message with the particular identifier in a particular visual manner that is associated with the particular identifier.” Page 8.

In reviewing the reference, *Paul* describes that an electronic mail message that is allowed in accordance with a user’s inclusion list is marked with an “OK” display code. Further, an electronic message which does not match data on the user’s inclusion list may be determined to be of interest to the user and is marked with a “NEW” display code. An electronic message which does not match data on the user’s inclusion list may be determined to not be of interest to the user and is marked with a “JUNK” display code. See abstract. Accordingly, *Paul* discloses that each of these codes characterize the content of a respective message with regard to whether the content is of interest to the user. The codes do not indicate a type of detection mechanism that determined the message to be undesirable.

Similarly, *Paul* describes that “e-mail messages from certain sources may be marked with a display code indicating that they have a ‘PRIORITY’ status. Different e-mail display colors or folders may be defined based upon the identity of the sender, or the subject matter of the messages.” Col. 9, lines 25-31. Again, *Paul* discloses that the codes indicate content of the message or the source of the message. The codes do not indicate a type of mechanism that detected the message to be an undesired email message.

As such, neither *Aronson* nor *Paul* suggests or teaches, individually or in combination, at least “means for marking the email message with a particular identifier of the particular detection scheme; and means for displaying the email message with the particular identifier in a particular visual manner that is associated with the particular identifier,” as recited in claim 9. Therefore, a combination of *Aronson* and *Paul* does not teach or suggest at least all of the claimed features of claim 9 and fails to establish a *prima facie* case of obviousness.

For at least this reason, the rejection of claim 9 should be withdrawn.

c. Claims 10-14

For at least the reasons given above, claim 9 is allowable over the cited art of record. Since claims 10-14 depend from claim 9 and recite additional features, claims 10-14 are allowable as a matter of law over the cited art of record.

d. Claim 15

As provided in independent claim 15, Applicant claims:

A method for providing email service, comprising:
providing a plurality of detection approaches for detecting undesired email messages;
designating an email message as being undesirable according to a particular detection scheme;
marking the email message with a particular identifier of the particular detection scheme; and
displaying the email message with the particular identifier in a particular visual manner that is associated with the particular identifier.

(Emphasis added).

Applicant respectfully submits that independent claim 15 is allowable for at least the reason that *Aronson* in view of *Paul* does not disclose, teach, or suggest at least "marking the email message with a particular identifier of the particular detection scheme; and displaying the email message with the particular identifier in a particular visual manner that is associated with the particular identifier," as recited and emphasized above in claim 15.

The Office Action states that "Aronson does not disclose expressly marking the email message with a particular identifier of the particular detection scheme; and displaying the email message with the particular identifier in a particular visual manner that is associated with the particular identifier." Page 10. However, the Office Action asserts that "Paul teaches marking the email message with a particular identifier of the particular detection scheme . . . and displaying the email message with the particular identifier in a particular visual manner that is associated with the particular identifier." Pages 10-11.

In reviewing the reference, *Paul* describes that an electronic mail message that is allowed in accordance with a user's inclusion list is marked with an "OK" display code. An electronic message which does not match data on the user's inclusion list may be determined to be of interest to the user and is marked with a "NEW" display code. An electronic message which does not match data on the user's inclusion list may be determined to not be of interest to the user and is marked with a "JUNK" display code. See abstract. Each of these codes characterize the content of a respective message with regard to whether the content is of interest to the user. The codes do not indicate a type of detection mechanism that detected the message to be an undesired email message.

Similarly, *Paul* describes that "e-mail messages from certain sources may be marked with a display code indicating that they have a 'PRIORITY' status. Different e-mail display colors or folders may be defined based upon the identity of the sender, or the subject matter of the messages." Col. 9, lines 25-31. Again, the codes indicate content of the message or the source of the message. The codes do not indicate a type of detection mechanism that detected the message to be undesirable.

As such, neither *Aronson* nor *Paul* suggests or teaches, individually or in combination, at least "marking the email message with a particular identifier of the particular detection scheme; and displaying the email message with the particular identifier in a particular visual manner that is associated with the particular identifier," as recited in claim 15. Therefore, a combination of *Aronson* and *Paul* does not teach or suggest at least all of the claimed features of claim 15 and fails to establish a *prima facie* case of obviousness.

For at least this reason, the rejection of claim 15 should be withdrawn.

e. Claims 16-23

For at least the reasons given above, claim 15 is allowable over the cited art of record. Since claims 16-23 depend from claim 15 and recite additional features, claims 16-23 are allowable as a matter of law over the cited art of record.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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